

Name Scott P. Heddings 09156-046
Address 9595 W. Quincy Ave.
Englewood, CO 80123
Telephone No. _____

FILED
February 5 2010

FILED
Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

FEB - 5 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. 1A10-0055

Scott P. Heddings,
Appellant,
(designation of party),
v.

MOTION AND AFFIDAVIT IN SUPPORT
OF MOTION TO PROCEED ON APPEAL
WITHOUT PAYMENT OF FILING FEE

State of Montana,
(designation of party).
Appellee.

I move this Court to proceed without payment of the filing fee in this cause,
and I submit this Affidavit in support of my motion.

I, Scott Heddings (state your name) being first duly sworn, depose and
say that I am the Appellant (designation of party) in the above-
entitled cause; that in support of my application to proceed on appeal without
being required to pay the filing fee, I state that because of my financial condition I
am unable to pay the filing fee; that I believe I am entitled to redress; and that the
issues which I desire to present on appeal are the following:

Violation of double-jeopardy & Montana Statute.

Ineffective Assistance of Counsel.

I further swear that the responses which I have made to the questions and instructions below relating to my ability to pay the cost of prosecuting the appeal are true.

1. Are you presently employed? Yes

a. If the answer is yes, state the amount of your salary or wages per month and give the name and address of your employer.

Approx. \$15 per month.

F.C.I. Englewood, 9595 W. Quincy Ave., Littleton, CO 80123

b. If the answer is no, state the date of your last employment and the amount of the salary and wages per month which you received.

2. Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, or other source? If the answer is yes, describe each source of income, and state the amount received from each during the past 12 months.

No

3. Do you own any cash or checking or savings account? If the answer is yes, state the total value of the items owned.

No

4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? If the answer is yes, describe the property and state its approximate value.

No

5. List the persons who are dependent upon you for support and state your relationship to those persons.

Lindy Heddings - Wife; Aymee Heddings - daughter

I understand that a false statement or answer to any question in this affidavit will subject me to penalties for perjury.

Scott P. Heddings

Subscribed and sworn to before me this 10th day of Nov, 2009.

County of Jefferson

Debra R. Severeid

Notary Public for the State of Colorado

Residing at Colorado

My Commission expires 9/11/2012



Inmate Statement



Inmate Reg #: 09156046
 Inmate Name: HEDDINGS, SCOTT
 Report Date: 10/20/2009
 Report Time: 1:12:17 PM

Current Institution: Englewood FCI
 Housing Unit: ENG-W-U
 Living Quarters: W08-020U

Alpha Code	Date/Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
ENG	10/20/2009 11:21:14 AM	16			Sales	(\$16.15)		\$34.11
ENG	10/19/2009 9:02:15 PM	TFN1019			Phone Withdrawal	(\$5.00)		\$50.26
ENG	10/19/2009 8:45:17 PM	TFN1019			Phone Withdrawal	(\$5.00)		\$55.26
ENG	10/16/2009 11:50:07 AM	23			Sales	(\$3.65)		\$60.26
ENG	10/13/2009 12:03:40 PM	40			Sales	(\$38.30)		\$63.91
ENG	10/13/2009 11:03:14 AM	33300910			Western Union	\$50.00		\$102.21
ENG	10/9/2009 12:30:15 PM	JIPP0909			Payroll - IPP	\$8.22		\$52.21
ENG	10/6/2009 7:39:36 PM	TFN1006			Phone Withdrawal	(\$5.00)		\$43.99
ENG	10/6/2009 11:43:32 AM	23			Sales	(\$41.65)		\$48.99
ENG	10/5/2009 6:47:36 AM	TFN1005			Phone Withdrawal	(\$5.00)		\$90.64
ENG	10/1/2009 6:20:45 PM	TFN1001			Phone Withdrawal	(\$5.00)		\$95.64
ENG	9/25/2009 8:43:00 PM	TFN0925			Phone Withdrawal	(\$23.00)		\$100.64
ENG	9/25/2009 5:04:30 AM	3070142601			Lockbox - CD	\$0.13		\$123.64
ENG	9/24/2009 5:03:08 AM	33325709			Western Union	\$100.00		\$123.51
ENG	9/20/2009 7:21:43 PM	TFN0920			Phone Withdrawal	(\$20.00)		\$23.51
ENG	9/16/2009 2:52:40 PM	TFN0916			Phone Withdrawal	(\$25.00)		\$43.51
ENG	9/16/2009 11:17:25 AM	7			Sales	(\$113.10)		\$68.51
ENG	9/16/2009 4:02:22 AM	TX091609			Transfer - In from TRUFACS	\$1.80		\$181.61
ENG	9/11/2009 11:49:27 AM	32			Sales	(\$70.15)		\$179.81
ENG	9/11/2009 5:03:16 AM	33324809			Western Union	\$100.00		\$249.96
ENG	9/11/2009 5:03:13 AM	33324809			Western Union	\$100.00		\$149.96
ENG	9/10/2009 5:59:06 PM	47			Sales	(\$4.45)		\$49.96
ENG	9/10/2009 5:56:35 AM	TX091009			Transfer - In from TRUFACS	\$54.41		\$54.41

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Total Transactions: 23

Totals: \$34.11 \$0.00

Current Balances

Alpha Code	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
ENG	\$34.11	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$34.11
Totals:	\$34.11	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$34.11

Other Balances

National 6 Months Deposits	National 6 Months Withdrawals	National 6 Months Avg Daily Balance	Local Max Balance - Prev 30 Days	Average Balance - Prev 30 Days	Commissary Restriction Start Date	Commissary Restriction End Date
\$414.56	\$382.25	\$62.98	\$123.64	\$70.16	N/A	N/A